

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**  
LYNCHBURG DIVISION

RONALD DAVID JONES,

*Plaintiff,*

v.

LIBERTY UNIVERSITY,

*Defendant.*

CASE NO. 6:16-cv-16

**ORDER**

JUDGE NORMAN K. MOON

The Northern District of Florida transferred this case to this Court because the sole Defendant, Liberty University (“Liberty”), is located in Lynchburg, Virginia. (Dkt. 5 at 1-2). Plaintiff, proceeding *pro se* and *in forma pauperis*, apparently claims he was discriminated against due to his race, but the basis for that contention is, at best, muddled. From the two factual paragraphs in the complaint, one gathers that he was enrolled in online courses at Liberty, was mistakenly told he must physically attend a class in Lynchburg, and later received poor grades (with the inference being it was on account of the erroneous attendance policy).

1. Liberty University discriminated against Plaintiff because of his race (Black). Liberty University enrolled Plaintiff in 18 hours of coursework in the first semester of classes. This was three times the 6 hour requirement. Once of the classes required Plaintiff to report to class in Lynchburg. Liberty University stated that this was a mistake but they did nothing to correct it. These were online classes for a Master’s Degree in Educational Leadership and Plaintiff was working full time. Plaintiff received back [*sic*] grades because of being placed in an impossible position.

2. Plaintiff had to change majors and was not allowed to state my beliefs. Liberty University did this because Plaintiff is Black and worship and serve the Godhead as Black. Plaintiff got every right to worship the Almighty God as Black because he is Black! That is what Plaintiff believes and that is what Plaintiff preaches. Yahh<strong350> God Yehovah<strong 3068> Ishi<strong 376> The Black One and The Only One, The Father. Yahshua/Yeshua<strong

3091/3443> Ben Yahh God Yehova Ishi Kristos<strong 5546> The Black One and The Only One, The Son. Holy<strong 6940>Ghost>strong 4151> Paraclete The Black One and The Only One, The Spirit<strong 4151>. Satan<strong 7854/4567>Lucifer<strong 1966> The White One and The Only One, The Anti-Father. Anti-Kristos<strong 500> The Beast<strong 2342>The While One and the Only One The Anti-Spirit. That is what Plaintiff believes and that is what Plaintiff preaches and no one is going to stop Plaintiff from using the right to do so, No matter what.

(Dkt. 1 at 1-2 (*sic* throughout second paragraph). He asserts claims for (1) violation of his religious rights under the First Amendment, (2) violation of his Fourteenth Amendment rights, (3) “violation of civil rights” (4) “violation of Due Process,” and (5) discrimination.

As written, the complaint is frivolous, fails to state a claim, involves a non-justiciable religious question, or some combination thereof. Constitutional claims exist only against state actors, which, as a private university, Liberty is not. *See West v. Atkins*, 487 U.S. 42, 49 (1988); *Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998). This disposes of his constitutional claims, as might the well-worn principle that courts cannot pass on religious questions. *See, e.g., Thomas v. Review Bd.*, 450 U.S. 707, 714-16 (1981); *Jones v. Wolf*, 443 U.S. 595, 603 (1979); *Presbyterian Church in U.S. v. Mary Elizabeth Blue Hull Mem'l Presbyterian Church*, 393 U.S. 440, 449 (1969). As for the generic references to “discrimination” and “violation of civil rights,” there are insufficient facts to support such claims and Plaintiff does not specify which anti-discrimination statutes he thinks were violated.

Thus, the complaint is **DISMISSED** without prejudice to Plaintiff’s right to amend his complaint within 28 days. If he does not, this case will be dismissed with prejudice and stricken from the active docket. The Clerk is directed to send Plaintiff and Liberty a copy of this order.

ENTERED this 22nd day of April, 2016.

  
NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE